

Message Text

SECRET

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INFO AMEMBASSY LONDON PRIORITY
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S E C R E T SECTION 01 OF 02 GENEVA 04181

EXDIS USCTB

PASS TO DOE

E.O. 11652: XGDS-3
TAGS: PARM US UK UR
SUBJECT: CTB NEGOTIATIONS: BRITISH PROPOSAL ON DURATION

CTB MESSAGE NO. 177

1. SUMMARY. BRITISH CTB DELEGATION HAS GIVEN US PRIVATELY A PROPOSED NEW FORMULATION ON DURATION OF TREATY AND PNE PROTOCOL. ESSENCE OF PROPOSAL IS THAT AFTER FIVE YEARS, A REVIEW CONFERENCE COULD DECIDE, BY A MAJORITY OF THE PARTIES INCLUDING ALL NUCLEAR WEAPON STATES PARTIES, TO CONTINUE THE TREATY AND PROTOCOL. (TEXT OF BRITISH PAPER IS SET FORTH IN PARA 5, BELOW.) END SUMMARY.

2. AT MARCH 16 BILATERAL CONSULTATION HELD AT UK REQUEST, BRIISH DPREP EDMONDS SAID THAT UK DELEGATION HAS DEVELOPED A NEW PROPOSAL ON DURATION WHICH THEY BELIEVE SERVES WESTERN INTERESTS AT LEAST AS WELL, AND PROBABLY BETTER, THAN UK-US FORMULA CURRENTLY ON THE TABLE, BUT WHICH COULD BE MORE ACCEPTABLE TO THE SOVIETS. UNDER
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BRITISH PROPOSAL, WHICH WAS AUTHORIZED BY LONDON, THE PARTIES WOULD DECLARE THEIR INTENTION THAT THE TREATY SHOULD BE OF UNLIMITED DURATION. HOWEVER, AFTER FIVE YEARS, REVIEW CONFERENCE WOULD BE HELD. MAJORITY OF PARTIES INCLUDING ALL NUCLEAR WEAPON STATE PARTIES COULD DECIDE AT THAT TIME TO CONTINUE THE TREATY AND PROTOCOL, EITHER INDEFINITELY OR FOR AN ADDITIONAL FIXED PERIOD

(E.G., FIVE YEARS). IN THE ABSENCE OF SUCH A DECISION (I.E., IF ANY OF THE NUCLEAR POWERS OR A MAJORITY OF THE PARTIES DID NOT WANT THE TREATY TO CONTINUE), THE TREATY AND PROTOCOL WOULD END, AFTER A BRIEF ADDITIONAL PERIOD (E.G., SIX MONTHS OR ONE YEAR). THE RIGHT FOR AN INDIVIDUAL PARTY TO WITHDRAW WOULD BE PROVIDED ONLY UNDER A STANDARD SUPREME NATIONAL INTERESTS WITHDRAWAL CLAUSE. A DECISION AT THE REVIEW CONFERENCE TO EXTEND THE TREATY WOULD ALSO APPLY TO THE INTEGRAL PROTOCOL WHICH CONTAINS THE PNE MORATORIUM (UNLESS THERE HAD BEEN MUTUAL AGREEMENT ON RULES PERMITTING PNEs).

3. IN THE COURSE OF DISCUSSION, THE BRITISH MADE THE FOLLOWING OBSERVATIONS ABOUT THEIR PROPOSAL:

(A) IT COULD PROVIDE ANOTHER WAY, OTHER THAN BY INVOKING THE SUPREME INTERESTS WITHDRAWAL CLAUSE, FOR THE US AND UK TO TERMINATE THEIR CTB OBLIGATIONS AND TO RESUME TESTING IF SERIOUS STOCKPILE RELIABILITY PROBLEMS HAD DEVELOPED DURING THE TREATY'S DURATION.

(B) IT COULD HELP THE SOVIETS TO ACCEPT A TREATY THAT COULD CONTINUE WITHOUT FRENCH AND CHINESE ADHERENCE AND WOULD NOMINALLY MEET SOVIET REQUIREMENT FOR "UNITY OF ACTION" (SINCE IF THE TREATY WERE TO END, OBLIGATIONS OF NUCLEAR POWERS WOULD TERMINATE SIMULTANEOUSLY).

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(C) REASON FOR STATEMENT THAT PARTIES WOULD "DECLARE THEIR INTENTION" THAT TREATY BE OF UNLIMITED DURATION, DESPITE REQUIREMENT OF DECISION BY CONFERENCE TO EXTEND IT, IS THAT PRIME MINISTER CALLAGHAN PERSONALLY ASKED THAT THIS POINT BE INCLUDED IN BRITISH POSITION. EDMONDS SUGGESTED, HOWEVER, THAT BRITISH MIGHT ALTER THEIR VIEW IF REFERRING TO "UNLIMITED DURATION" MADE THE OVERALL APPROACH DIFFICULT TO NEGOTIATE. PROPOSAL WOULD HAVE SAME OPERATIVE EFFECT IF TEXT SAID THAT TREATY AND PROTOCOL WOULD HAVE "INITIAL DURATION" OF FIVE YEARS AND THAT, WHEN WEAPONS BAN WAS EXTENDED, PNE MORATORIUM WOULD ALSO BE EXTENDED.

(D) BRITISH DELEGATION CONTEMPLATES THAT NUCLEAR WEAPON STATE PARTIES WOULD PRIVATELY CONFER IN ADVANCE OF REVIEW CONFERENCE WHICH WOULD BE CONSISTENT WITH GENERAL IDEA OF "UNITY OF ACTION" AND HAVE APPEAL TO THE SOVIETS AS WELL AS BE USEFUL TO US.

4. EDMONDS REQUESTED THAT US STUDY THE NEW BRITISH POSITION. US ALTERNATE REP NEIDLE RECALLED THAT US DELEGATION HAD ON SEVERAL OCCASIONS DURING PRESENT ROUND PRESSED THE SOVIETS

TO MOVE TOWARD OUR EXISTING DURATION FORMULATION, WHICH WAS INTENDED TO PROMOTE THE BASIC OBJECTIVE OF A STABLE AND DURABLE TREATY THAT COULD CONTINUE WITHOUT FRENCH AND CHINESE ADHERENCE. WHILE NEW UK FORMULATION, ON INITIAL READING, SEEMED DESIGNED TO MEET THAT SAME OBJECTIVE, WE WOULD OF COURSE WANT TO STUDY IT CAREFULLY DURING THE UPCOMING RECESS.

5. TEXT OF BRITISH PAPER IS AS FOLLOWS: BEGIN TEXT:

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A NEW DURATION/WITHDRAWAL/REVIEW PACKAGE WHICH WOULD MEET ESSENTIAL UK/US REQUIREMENTS AND MIGHT BE ACCEPTABLE TO THE SOVIET UNION WOULD HAVE THE FOLLOWING FEATURES:

- A. THE PARTIES WOULD DECLARE THEIR INTENTION THAT THE TREATY SHOULD BE OF UNLIMITED DURATION.
- B. BUT AFTER FIVE YEARS A CONFERENCE OF PARTIES WOULD BE HELD TO DETERMINE WHETHER TO CONFIRM THAT THE TREATY AND PROTOCOL SHOULD CONTINUE INDEFINITELY, OR WHETHER TO EXTEND THEM FOR AN ADDITIONAL FIXED PERIOD OR PERIODS (OF FIVE YEARS).
- C. THIS DECISION WOULD BE TAKEN BY A MAJORITY, INCLUDING ALL THE NWS PARTIES, OF THE PARTIES.
- D. FAILURE TO OBTAIN A DECISION IN FAVOUR OF ONE OF THE OPTIONS IN (B) ABOVE WOULD RESULT IN THE TERMINATION OF THE TREATY AND PROTOCOL.

E. THE TREATY WOULD PROVIDE FOR THE RIGHT TO WITHDRAW
ON GROUNDS OF SUPREME NATIONAL INTERESTS BUT NOT FOR THE
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ADDITIONAL RIGHT TO WITHDRAW TO MEET THE CONTINGENCY OF
CONTINUED NUCLEAR TESTING BY A NON-PARTY.

F. THE DURATION OF THE BAN/MORATORIUM ON PNE WOULD NOT
BE FIXED BUT WOULD LAST UNTIL THE PARTIES, INCLUDING ALL
NWS PARTIES, HAD AGREED, AFTER DUE CONSIDERATION, ON A
REGIME UNDER WHICH PNE COULD BE CONDUCTED WITHOUT YIELDING
MILITARY BENEFITS, AND THE TREATY OR PROTOCOL HAD BEEN
AMENDED ACCORDINGLY. THE PROTOCOL WOULD IMPOSE NO DEAD-
LINE ON THIS PROCESS.

G. IF, BEFORE THE RENEWAL/REVIEW CONFERENCE TO BE HELD
FIVE YEARS AFTER THE TREATY HAD ENTERED INTO FORCE, THE
PARTIES REACHED AGREEMENT ON A REGIME FOR THE CONDUCT OF
PNE, THE NECESSARY AMENDMENTS COULD BE MADE IN ACCORDANCE
WITH THE AMENDMENT PROCEDURE PROVIDED FOR IN THE TREATY.
IF NO AGREEMENT HAD BEEN REACHED BY THEM, THE PROGRESS
MADE IN THE CONSIDERATION OF THE PNE BAN WOULD BE A MATTER
FOR DISCUSSION AT THE CONFERENCE. END TEXT. WARNKE

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